



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

May 14, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO APPLY FOR AND ACCEPT GRANT FUNDS FROM
THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY (Cal EMA) FOR THE STALKING
AND THREAT ASSESSMENT TEAM (STAT) FOR FISCAL YEAR (FY) 2013-14 (ALL DISTRICTS)
(3-VOTES)**

SUBJECT

This Board Letter requests authority for the District Attorney's Office to apply for and accept grant funds to continue the Stalking and Threat Assessment Team (STAT) Program in Fiscal Year (FY) 2013-14. Applicants are required to submit the necessary assurances and documentation with their grant application. Therefore, we are requesting the Chairman sign the Certification of Assurance of Compliance Form as required by the grantor.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the District Attorney on behalf of the County of Los Angeles, to complete the grant application process with Cal EMA in the amount of \$287,318 for the period of July 1, 2013 to June 30, 2014. The grant award amount is \$215,488 with a required 25% match of \$71,830.
2. Request the Chairman of the Board to sign and affix a wet signature to the enclosed Certification of Assurance of Compliance Form required to complete the Cal EMA grant proposal.
3. Delegate authority to the District Attorney or her designee, upon award of grant funding by Cal EMA to accept and execute the Grant Award Agreement and serve as Project Director for the program. This also includes authorization to approve any subsequent amendments, modifications, and/or extensions to the Cal EMA grant documents that do not increase the Net County Cost of the program.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

66 May 14, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On February 28, 2013, the District Attorney's (DA) Office received a Request for Proposal (RFP) notice from Cal EMA for competitive funding made available through the federal Violence Against Women Act (VAWA) Services*Training*Officers*Prosecutors (S*T*O*P) Formula Grant. The RFP process requires applicants to submit a proposal identifying the creation or enhancement of a specialized unit which focuses on the vertical prosecution of the defendant and support services for the victim(s) of violent crimes against women. STAT satisfies these requirements. The proposal must also contain a Certification of Assurance of Compliance Form which includes details regarding the Equal Employment Opportunity Program (EEO), Drug Free Workplace Compliance, California Environmental Quality Act Lobbying, Debarment and Suspension requirements, Proof of Authority from the City Council/Governing Board, and the statutory requirements of the VAWA S*T*O*P Formula Grant Program.

Board authorization to apply for and accept grant funds is requested in order to comply with County and Cal EMA requirements.

Implementation of Strategic Plan Goals

This program is part of the District Attorney's commitment to address violent crimes against women and to develop and enhance victim services in cases involving violent crimes against women. Acceptance of the Cal EMA funds supports the County's Strategic Plan Goal No. 1, Operational Effectiveness, to maximize the effectiveness of the County's processes, structure and operations to support timely delivery of customer-oriented and efficient public services and Strategic Plan Goal No. 3, Integrated Services Delivery, to maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

The estimated project cost for the STAT Program is \$287,318. After the offset of \$215,488 in grant funds, the District Attorney will absorb the 25% required match of \$71,830. This funding is included in the Department's FY 2013-14 Budget.

This program will provide salary and employee benefits for one Deputy District Attorney IV at 100%, and partial funding for one Victim Services Representative II (VSR II) at 50% and one Senior Investigator at 7.50%.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The STAT Program is designed to improve the criminal justice system's response to violent crimes against women through a coordinated multidisciplinary response. The focus of this program will be vertical prosecution of the defendant and support services for the victim(s).

This year, approximately \$2,300,000 is available for VAWA through a competitive proposal process.

The VAWA S*T*O*P Program encourages the enhancement and strengthening of effective law enforcement and prosecution strategies to address violent crimes against women such as sexual assault, domestic violence, dating violence and stalking. Applicants selected will be awarded funds on a three-year funding cycle. Year one begins July 1, 2013, and ends June 30, 2014. Second and third year funding will require a non-competitive request for application (RFA) process subject to available funds, success project performance, and compliance with the terms of the grant award agreement

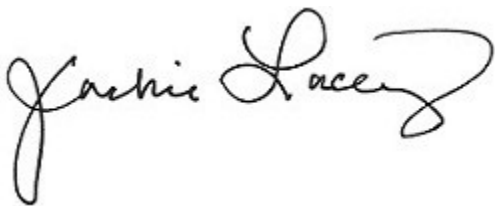
IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two (2) copies of the adopted Board Letter and two (2) Cal EMA Certification of Assurance of Compliance Forms, with wet signatures, to Ms. Maria Baldwin, Grants Section, District Attorney's Office, 201 N. Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Ms. Baldwin at (213) 202-7684.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jackie Lacey". The signature is fluid and cursive, with a large, stylized initial "J".

JACKIE LACEY

District Attorney

no

Enclosures

c: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel

CERTIFICATION OF ASSURANCE OF COMPLIANCE
With Statutory Requirements of the Violence Against Women Act (VAWA) As Amended,
Services*Training*Officers*Prosecutors (STOP) Formula Grant Program

I, JACKIE LACEY hereby certify that
(official authorized to sign grant award; same person as Section 14 on Grant Award Face Sheet)

RECIPIENT: COUNTY OF LOS ANGELES

IMPLEMENTING AGENCY: DISTRICT ATTORNEY

PROJECT TITLE: STALKING & THREAT ASSESSMENT TEAM (STAT)

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by Cal EMA including, but not limited to, the following areas:

I. Federal Grant Funds

Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Recipient Handbook for more detail.

☒ The above named recipient receives \$500,000 or more in federal grant funds annually.

☐ The above named recipient does not receive \$500,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (Recipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **Cal EMA-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: JULIE DIXON SILVA
Title: CHIEF, EMPLOYEE RELATIONS DIVISION
Address: 201 N. FIGUEROA ST., SUITE 1455, LOS ANGELES, CA 90012
Phone: (213) 202-7705
Email: jdsilva@da.lacounty.gov

III. Drug-Free Workplace Act of 1990 – (Recipient Handbook, Section 2152)

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

IV. California Environmental Quality Act (CEQA) – (Recipient Handbook, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal EMA funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

V. Lobbying – (Recipient Handbook Section 2154)

Cal EMA grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

VI. Debarment and Suspension – (Recipient Handbook Section 2155)
(*This applies to federally funded grants only.*)

Cal EMA-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VII. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal EMA, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and Cal EMA disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal EMA shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

VIII. Filing Costs for Criminal Charges and Protection

Its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection

order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.

IX. *Forensic Medical Examination Payment Requirement for Victims of Sexual Assault*

The state or territory, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault.

The state or territory, Indian tribal government, unit of local government, or another governmental entity does not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

X. *Judicial Notification*

The state's judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws.

XI. *Polygraph Testing Prohibition*

The state or local unit of government's laws, policies, or practices ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

- Under 42 U.S.C. 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

XII. *Nondisclosure of confidential or private information regarding services for victims*

Recipients and subrecipients may not disclose personally identifying information about victims served with Violence Against Women funds without a written release, unless the disclosure of the information is required by a statute or court order. "Personally identifying information" means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking. Releases must be written, informed and reasonably time-limited and signed by the victim unless the victim is an un-emancipated minor or a person with disabilities.

**XIII. *Consultation and Documentation with local victim services programs*
(Applies only to law enforcement, prosecution and the courts)**

Tribal, territorial, State, or local prosecution, law enforcement, and courts must consult with tribal, territorial, State or local victim service programs during the course of developing their grant applications. This will ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

All appropriate documentation must be maintained on file by the project and available for Cal EMA or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the Cal EMA determines that any of the following has occurred:

(1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 14 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: _____

Authorized Official's Typed Name: JACKIE LACEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: _____

Federal Employer ID #: 95-6000927 Federal DUNS # 781310990

Current Central Contractor Registration Expiration Date: 04/5/2014

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: (not applicable to State agencies)

- ☐ City Financial Officer
☐ City Manager
☒ Governing Board Chair

- ☐ County Financial Officer
☐ County Manager

Signature: _____

Typed Name: MARK RIDLEY-THOMAS

Title: CHAIRMAN, BOARD OF SUPERVISORS



APPROVED AS TO FORM:

BY: _____